

Exhibit G



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January 11, 2021

Via Email

Kathleen C. Gannon, Esq.
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**Re: *Occidental Chemical Corp. v. 21st Century Fox Am., Inc., et al.*,
Civil Action No. 2:18-cv-11273-MCA-JAD**

Dear Ms. Gannon:

I am writing in response to your December 31, 2020 emails enclosing BASF Corporation's and BASF Catalysts's ("BASF parties") production of electronically-stored information (ESI).

OxyChem is in the process of reviewing these productions. According to our records, neither BASF party has provided a list of its ESI custodians or the search terms applied to the ESI collected from those custodians. *See* February 18, 2020 Order of the Special Master Regarding Electronically Stored Information, Dkt. No. 932 ("[a]ll parties shall provide a complete list of search terms and custodians utilized in their ESI searches when their production is made."). Without that information, OxyChem cannot fully evaluate the adequacy of the BASF parties' ESI productions.

Please provide a complete list of search terms and custodians as soon as possible. If you would like to discuss further, please do not hesitate to contact me.

Very truly yours,

/s/ *John J. McDermott*

John J. McDermott

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March 5, 2021

Via Email

Kathleen C. Gannon, Esq.
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**Re: *Occidental Chem. Corp. v. 21st Century Fox Am., Inc., et al.*
Civil Action No. 2:18-cv-11273-MCA-LDW**

Dear Ms. Gannon:

I am writing to follow up on the January 11, 2021 letter to you related to BASF Corporation's and BASF Catalysts LLC's (the "BASF Parties") production of electronically-stored information ("ESI").

Neither BASF party included with their December 31, 2020 ESI productions a list of its ESI custodians or the search terms applied to the ESI collected from those custodians. *See* February 18, 2020 Order of the Special Master Regarding Electronically Stored Information, Dkt. No. 932 ("[a]ll parties shall provide a complete list of search terms and custodians utilized in their ESI searches when their production is made."). Our January 11 letter requested that missing information, which is essential to OxyChem's ability to assess the adequacy of the BASF Parties' production, but to date we have not received a response. Please provide that information by March 10, 2021.

Beyond custodians and search terms, OxyChem is concerned about the lack of progress of BASF's document production. Prior to the November 18, 2020 status conference, the BASF Parties reported to Special Master Scrivo that "[c]ollection of ESI was complete" and they were in the process of reviewing "what is a large collection of documents." *See* SPG ESI Status Report, dated Nov. 16, 2020. The BASF Parties followed that update several weeks later with the December 31, 2020 production, which included fewer than 500 total documents. Most recently, the BASF Parties reported on January 16, 2021 that the BASF Parties' review was "ongoing" and they "[a]nticipated completion in 30 days." That was 48 days ago and OxyChem has not received any additional documents, information, or updates.

Kathleen Gannon, Esq.

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This raises several questions. First, do the BASF Parties still intend to serve additional productions? Or have they already produced everything they intend to produce?

Also, the BASF Parties' represented that they were in the process of reviewing "a large collection of documents," but that appears inconsistent with the volume of ESI produced by those parties to date. If additional productions are forthcoming, what is the expected volume?

Finally, if additional productions are forthcoming, when will they be provided to OxyChem? And will they be produced on a rolling basis or all at once?

Please provide this information as soon as possible, or let me know your availability during the week of March 8 for a call to meet-and-confer so OxyChem can evaluate whether the BASF Parties' ESI productions are an appropriate agenda item for the upcoming Special Master conference.

If you have any questions or would like to discuss any of these issues further, please do not hesitate to contact me.

Very truly yours,

ARCHER & GREINER
A Professional Corporation

By: /s/ Charles J. Dennen
Charles J. Dennen

CJD

cc: John J. McDermott, Esq.



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March 10, 2021

Via Electronic Mail

Charles J. Dennen, Esq.
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Haddonfield, New Jersey 08033

Re: *Occidental Chemical Corp. v. 21st Century Fox America, Inc., et al.*
Docket No. 2:18-cv-11273

Dear Mr. Dennen:

We are in receipt of your office's letters dated March 5, 2021 and January 11, 2021, in which Occidental Chemical Corporation ("OxyChem") requested information regarding the ESI productions made by BASF Corporation and BASF Catalysts, LLC (the "BASF Parties"). Please allow this letter to respond to OxyChem's various information requests.

With respect to the ESI search terms and custodians utilized in the ESI searches for the BASF Parties, please find enclosed herewith Attachments 1 through 5 containing this information.

As to the status of the BASF Parties' ESI production, the representations made by the BASF Parties have been accurate to date. As of November 16, 2020, the BASF Parties' collection of ESI was complete. This collection consisted of approximately 25,000 documents. On December 31, 2020, the BASF Parties produced 482 documents (276 documents totaling 1,334 pages for BASF Corporation and 206 documents totaling 906 pages for BASF Catalysts, LLC). Due to the large number of documents, the BASF Parties' review was still ongoing as of January 16, 2021, as reported by the BASF Parties. While we estimated (but did not guarantee) that the review would take an additional thirty (30) days, it has taken longer than expected. That said, the BASF Parties expect to make one small supplemental ESI production by March 16, which will complete the BASF Parties' ESI production.

Your suggestion that the ESI collection and review effort that the BASF Parties represented they have undertaken is inconsistent with the volume of documents produced is without merit. There are a number of reasons that the amount of ESI being produced is a small fraction of the 25,000 documents returned as a result of the BASF Parties' ESI search. These reasons include the fact that a large number of documents were duplicative of documents already produced by the BASF Parties as part of their hard copy document review and production. Indeed, prior to the ESI production, BASF Corporation produced 851 documents totaling 20,626 pages in this litigation, which does not include the 13,403 documents totaling 117,991 pages previously produced by BASF Corporation in the New Jersey Spill Act litigation. Prior to the ESI production, BASF Catalysts, LLC produced 358 documents totaling 30,868 pages with respect to the East Newark



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Site. In addition to consisting of duplicative documents, the ESI search returned a significant number of irrelevant documents, repetitive email chains, and privileged communications.

As to the custodians whose ESI was searched, you will see from the Attachments that these custodians include Douglas Reid-Green (Senior Environmental Specialist, BASF Corporation) and Brian Diepeveen (Remediation Director, BASF Corporation). BASF searched for but did not locate any ESI for the following persons with knowledge: Joseph Nalio (Kearny Site), Augustus Gaggis (Hawthorne Site and Bayonne Barrel & Drum), Derrick Boom (East Newark Site), and Anna Weider (East Newark Site). Because there were no legal holds in place for any of these individuals, their data was not preserved. Moreover, the reality is that there would have been no ESI from the operational period of the sites at issue, with the exception of the East Newark Site, because they had ceased manufacturing operations prior to the use of e-mail. Thus, the ESI for the former employees identified above, if any, would consist largely of documents relating to the remediation activities at these sites and could be expected to have been duplicative of, and less comprehensive than, the ESI being produced for Mr. Reid-Green and Mr. Diepeveen, who had primary responsibility for remediation activities conducted at the BASF properties at issue in this litigation.

It is our expectation that the above and attached information will satisfy the concerns raised in OxyChem's letters of January 11, 2021 and March 5, 2021. If you have any questions or would like to meet and confer to further discuss, please do not hesitate to contact me.

Very truly yours,

/s/ Kathleen C. Gannon

Kathleen C. Gannon

Attachment 1 – ESI Search Terms and Custodians
BASF Corporation Kearny Site (50 Central Avenue, Kearny, New Jersey)

ESI Custodians:

- Brian W. Diepeveen - Remediation Director, BASF Corporation
- J. Douglas Reid-Green - Senior Environmental Specialist, BASF Corporation

ESI Search Terms:

1. “United Cork”
2. PI w/2 548698
3. PI w/2 005818
4. ECRA w/2 90537
5. 50 Central Ave* OR Kearny

[AND]

- 2,3,7,8* or TCDD or dioxin* or furan or PCB* or Aroclor or “polychlorinated biphenyl” or mercury or Hg or DDT or dichlorodiphenyltrichloroethane or copper or Cu or dieldrin or pesticide or PAH or “poly aromatic” or polyaromatic or polycyclic or lead or Pb
- analy* w/5 “soil”
- analy* w/5 “ground*”
- analy* w/5 “sediment”
- analy* w/3 “data”
- application w/5 “permit”
- “AST”
- Basin
- bypass
- “CERCLA” or “Comprehensive Environmental Response, Compensation, and Liability Act”
- “cleanup plan” or “clean-up plan”
- “corrective action”
- “corrective measures study”
- “dep.nj.gov”
- dispos*
- “discharge”
- drain w/10 (“release” or spill or leak or disch* or emit*)
- drum w/10 (“release” or spill or leak or disch* or emit*)
- dump*
- “ECRA” or “Environmental Cleanup Responsibility Act”
- effluent w/5 disch*
- emergency w/5 “response” emission
- “Environmental Protection” w/3 Agency
- “Environmental Protection” w/3 Department
- EPA

- “epa.gov”
- Explosion
- “feasibility study”
- fire
- investigat* w/2 rem*
- “ISRA” or “Industrial Site Recovery Act”
- lagoon
- landfill*
- leak
- manifest w/5 dispos*
- manufactur*
- “NJDEP”
- NOV or “notice of violation”
- “NPDES”
- operat*
- “operating permit”
- outfall
- Passaic w/3 River
- permit w/5 waste*
- permit w/5 disch*
- “pipe*” w/5 (“release” or spill or leak or disch* or emit*)
- piping w/5 (“release” or spill or leak or disch* or emit*)
- pit
- plumbing w/5 (“release” or spill or leak or disch* or emit*)
- plume
- “preliminary assessment”
- pollution
- pretreat* w/10 “waste*”
- PVSC or “Passaic Valley Sewerage Commission”
- RCRA or “Resource Conservation and Recovery Act”
- “record of decision” or “ROD”
- “Region 2” w/5 “EPA
- “Region 2” w/5 “Environmental”
- “release”
- remedia*
- remov*
- “response action”
- risk w/ 5 assess*
- Saddle w/3 River
- sampl* w/5 “soil”
- sampl* w/5 ground*
- sampl* w/5 sediment
- Second w/3 River
- sediment

- sewer w/5 disch*
- “site assessment”
- “site inspection”
- “spill”
- “Spill Act”
- stor* w/5 “waste”
- stor* w/5 “product”
- “storage tank”
- Superfund
- Third w/3 River
- toxicity
- treat* w/5 waste*
- UST
- Waste
- Wastewater treat*

Attachment 2 – ESI Search Terms and Custodians
BASF Corporation Hawthorne Site (150 Wagaraw Road, Hawthorne, New Jersey)

ESI Custodians:

- Brian W. Diepeveen - Remediation Director, BASF Corporation
- J. Douglas Reid-Green - Senior Environmental Specialist, BASF Corporation

ESI Search Terms:

1. PI w/2 548698
2. PI w/2 005818
3. ECRA w/2 90537
4. “150 Wagaraw Road” OR Hawthorne

[AND]

- 2,3,7,8* or TCDD or dioxin* or furan or PCB* or Aroclor or “polychlorinated biphenyl” or mercury or Hg or DDT or dichlorodiphenyltrichloroethane or copper or Cu or dieldrin or pesticide or PAH or “poly aromatic” or polyaromatic or polycyclic or lead or Pb
- analy* w/5 “soil”
- analy* w/5 “ground*”
- analy* w/5 “sediment”
- analy* w/3 “data”
- application w/5 “permit”
- “AST”
- Basin
- bypass
- “CERCLA” or “Comprehensive Environmental Response, Compensation, and Liability Act”
- “cleanup plan” or “clean-up plan”
- “corrective action”
- “corrective measures study”
- “dep.nj.gov”
- dispos*
- “discharge”
- drain w/10 (“release” or spill or leak or disch* or emit*)
- drum w/10 (“release” or spill or leak or disch* or emit*)
- dump*
- “ECRA” or “Environmental Cleanup Responsibility Act”
- effluent w/5 disch*
- emergency w/5 “response” emission
- “Environmental Protection” w/3 Agency
- “Environmental Protection” w/3 Department
- EPA

- “epa.gov”
- Explosion
- “feasibility study”
- fire
- investigat* w/2 rem*
- “ISRA” or “Industrial Site Recovery Act”
- lagoon
- landfill*
- leak
- manifest w/5 dispos*
- manufactur*
- “NJDEP”
- NOV or “notice of violation”
- “NPDES”
- operat*
- “operating permit”
- outfall
- Passaic w/3 River
- permit w/5 waste*
- permit w/5 disch*
- “pipe*” w/5 (“release” or spill or leak or disch* or emit*)
- piping w/5 (“release” or spill or leak or disch* or emit*)
- pit
- plumbing w/5 (“release” or spill or leak or disch* or emit*)
- plume
- “preliminary assessment”
- pollution
- pretreat* w/10 “waste*”
- PVSC or “Passaic Valley Sewerage Commission”
- RCRA or “Resource Conservation and Recovery Act”
- “record of decision” or “ROD”
- “Region 2” w/5 “EPA
- “Region 2” w/5 “Environmental”
- “release”
- remedia*
- remov*
- “response action”
- risk w/ 5 assess*
- Saddle w/3 River
- sampl* w/5 “soil”
- sampl* w/5 ground*
- sampl* w/5 sediment
- Second w/3 River
- sediment

- sewer w/5 disch*
- “site assessment”
- “site inspection”
- “spill”
- “Spill Act”
- stor* w/5 “waste”
- stor* w/5 “product”
- “storage tank”
- Superfund
- Third w/3 River
- toxicity
- treat* w/5 waste*
- UST
- Waste
- Wastewater treat*

Attachment 3 – ESI Search Terms and Custodians
BASF Corporation – Bayonne Barrel & Drum Site

ESI Custodians:

- Brian W. Diepeveen - Remediation Director, BASF Corporation
- J. Douglas Reid-Green - Senior Environmental Specialist, BASF Corporation

ESI Search Terms:

1. “Bayonne Barrel”
2. “BBD”
3. “150-154 Raymond Boulevard”
4. “Raymond Boulevard”
5. “Raymond Blvd.”

Attachment 4 – ESI Search Terms and Custodians
BASF Corporation – Central Steel Drum Site

ESI Custodians:

- Brian W. Diepeveen - Remediation Director, BASF Corporation
- J. Douglas Reid-Green - Senior Environmental Specialist, BASF Corporation

ESI Search Terms:

1. “Central Steel”
2. “CSD”
3. 704 Doremus Ave*
4. 704-738 Doremus Ave*

Attachment 5 – ESI Search Terms and Custodians
BASF Catalysts, LLC East Newark Site (1 West Central Avenue, East Newark, NJ)

ESI Custodians:

- J. Douglas Reid-Green – Senior Environmental Specialist, BASF Corporation

ESI Search Terms:

1. ISRA w/2 E20080391
2. PI w/2 006796
3. “East Newark” OR 1 West Central Ave*

[AND]

- 2,3,7,8* or TCDD or dioxin* or furan or PCB* or Aroclor or “polychlorinated biphenyl” or mercury or Hg or DDT or dichlorodiphenyltrichloroethane or copper or Cu or dieldrin or pesticide or PAH or “poly aromatic” or polyaromatic or polycyclic or lead or Pb
- analy* w/5 “soil”
- analy* w/5 “ground*”
- analy* w/5 “sediment”
- analy* w/3 “data”
- application w/5 “permit”
- “AST”
- Basin
- bypass
- “CERCLA” or “Comprehensive Environmental Response, Compensation, and Liability Act”
- “cleanup plan” or “clean-up plan”
- “corrective action”
- “corrective measures study”
- “dep.nj.gov”
- dispos*
- “discharge”
- drain w/10 (“release” or spill or leak or disch* or emit*)
- drum w/10 (“release” or spill or leak or disch* or emit*)
- dump*
- “ECRA” or “Environmental Cleanup Responsibility Act”
- effluent w/5 disch*
- emergency w/5 “response” emission
- “Environmental Protection” w/3 Agency
- “Environmental Protection” w/3 Department
- EPA
- “epa.gov”
- Explosion
- “feasibility study”

- fire
- investigat* w/2 rem*
- “ISRA” or “Industrial Site Recovery Act”
- lagoon
- landfill*
- leak
- manifest w/5 dispos*
- manufactur*
- “NJDEP”
- NOV or “notice of violation”
- “NPDES”
- operat*
- “operating permit”
- outfall
- Passaic w/3 River
- permit w/5 waste*
- permit w/5 disch*
- “pipe*” w/5 (“release” or spill or leak or disch* or emit*)
- piping w/5 (“release” or spill or leak or disch* or emit*)
- pit
- plumbing w/5 (“release” or spill or leak or disch* or emit*)
- plume
- “preliminary assessment”
- pollution
- pretreat* w/10 “waste*”
- PVSC or “Passaic Valley Sewerage Commission”
- RCRA or “Resource Conservation and Recovery Act”
- “record of decision” or “ROD”
- “Region 2” w/5 “EPA
- “Region 2” w/5 “Environmental”
- “release”
- remedia*
- remov*
- “response action”
- risk w/ 5 assess*
- Saddle w/3 River
- sampl* w/5 “soil”
- sampl* w/5 ground*
- sampl* w/5 sediment
- Second w/3 River
- sediment
- sewer w/5 disch*
- “site assessment”
- “site inspection”

- “spill”
- “Spill Act”
- stor* w/5 “waste”
- stor* w/5 “product”
- “storage tank”
- Superfund
- Third w/3 River
- toxicity
- treat* w/5 waste*
- UST
- Waste
- Wastewater treat*